

September 15, 2015

Ms. Rebecca Chu
U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue, AWT-121
Seattle, Washington 98101

BY E-MAIL ONLY

**RE: MONTHLY PROGRESS REPORT – AUGUST 2015
JORGENSEN FORGE EARLY ACTION AREA – REMOVAL ACTION
IMPLEMENTATION
U.S. EPA DOCKET NO. CERCLA-10-2013-0032
SEATTLE, WASHINGTON
FARALLON PN: 831-032**

Dear Ms. Chu:

Farallon Consulting, L.L.C. (Farallon) has prepared this monthly progress report on behalf of Earle M. Jorgensen Company (EMJ) to document the activities conducted during August 2015 at the Lower Duwamish Waterway Superfund Site Jorgensen Forge Early Action Area (Site) in Seattle, Washington. This monthly progress report was prepared in accordance with the requirements of the Administrative Settlement Agreement and Order of Consent (Settlement Agreement) for Removal Action Implementation at the Site issued by U.S. Environmental Protection Agency (EPA) Region 10 on November 5, 2012 under EPA Docket No. CERCLA-10-2013-0032. To date, approximately 75 percent of the required work is complete.

EMJ received written notice from EPA on November 25, 2014 that EMJ is in non-compliance with the Settlement Agreement for the performance of the Non-Time Critical Removal Action of contaminated sediments and associated shoreline bank soils at the Site. On December 9, 2014, EMJ issued a written notice of objection and requested Dispute Resolution under the provisions of the Settlement Agreement. EMJ and EPA held technical meetings on January 8, January 16, and February 25, 2015 to discuss the technical issues identified in the written notices. In a March 2, 2015 letter from EPA to EMJ, EPA suspended the dispute negotiation period indefinitely to allow the time necessary for implementation of additional sampling and assessment of the analytical results. In a March 23, 2015 letter EPA requested EMJ develop sampling and analysis plans to perform additional surface and subsurface sediment sampling. EMJ submitted the aforementioned plans (i.e., Construction Quality Assurance Project [CQAP] Modification No. 1 and Operations Monitoring and Maintenance Plan [OMMP] Addendum No. 2) to EPA on April 22, 2015. On June 16, 2015, EMJ received a response letter from EPA requiring revisions to the CQAP Modification No. 1 and OMMP Addendum No. 2. The revised CQAP Modification No. 1 and OMMP Addendum No. 2 were submitted to EPA on July 16, 2015. EMJ received written notice from EPA on August 25, 2015 regarding penalties for



violations of the Settlement Agreement (EMJ Violations Letter). EMJ submitted a Notice of Objection – Formal Dispute Resolution to EPA on September 8, 2015.

This monthly progress report provides:

- A summary of field activities conducted during August 2015;
- Analytical results for samples collected during August 2015;
- A summary of deliverables submitted and received during August 2015;
- A summary of technical and regulatory meetings during August 2015;
- A summary of planned activities, meetings, and deliverables for September and October 2015; and
- A summary of deviations from the Settlement Agreement schedule anticipated for September and October 2015.

FIELD ACTIVITIES – AUGUST 2015

No field activities occurred during August 2015.

ANALYTICAL RESULTS – AUGUST 2015

No laboratory analytical results were received in August 2015.

DELIVERABLES – AUGUST 2015

The Monthly Progress Report – July 2015 was submitted to EPA on August 14, 2015.

TECHNICAL AND REGULATORY MEETINGS – AUGUST 2015

In accordance with the Memorandum of Understanding between EMJ, Jorgensen Forge, and The Boeing Company (Boeing), the parties participated in a joint project coordination meeting with EPA on August 3 and August 31, 2015 and a coordination meeting with Boeing and Jorgensen Forge on August 17, 2015.

PLANNED ACTIVITIES, MEETINGS, AND DELIVERABLES – SEPTEMBER AND OCTOBER 2015

Activities

No field activities are planned in September 2015. A schedule for performing a portion of the surface sediment sampling outlined in OMMP Addendum No. 2 in October 2015 is being evaluated and coordinated with the Muckleshoot Tribe.

Meetings

Project coordination meetings with Boeing are scheduled to occur on September 28 and October 26, 2015, and joint project coordination meetings with Boeing and EPA are scheduled for September 14 and October 12, 2015.



Deliverables

The following deliverables have been or will be provided to EPA during September and October 2015:

- Notice of Objection – Formal Dispute Resolution on September 8, 2015;
- Monthly Progress Report – August 2015 by September 15, 2015; and
- Monthly Progress Report – September 2015 by October 15, 2015.

DEVIATIONS FROM SETTLEMENT AGREEMENT SCHEDULE – SEPTEMBER AND OCTOBER 2015

No deviations from the Settlement Agreement schedule are anticipated in September and October 2015.

CLOSING

Farallon trusts that this monthly progress report provides sufficient information for EPA. If you have questions regarding this project, please contact the undersigned at (425) 295-0800.

Sincerely,

Farallon Consulting, L.L.C.

Amy Essig Desai
Principal

cc: Mr. E. Gilbert Leon Jr., EMJ (by e-mail only)
Mr. Miles Dyer, Jorgensen Forge Corporation (by e-mail only)
Messrs. William Joyce and Ian Sutton; Joyce Ziker Parkinson, PLLC (by e-mail only)
Messrs. Ryan Barth and David Templeton; Anchor QEA, LLC (by e-mail only)

AED:mm